

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Case No. 2:15-cr-0090-KJD-PAL

Plaintiff.

ORDER

V.

PHILBERT COLE,

Defendant/Appellant.

Presently before the Court is Defendant's Counsel's Motion to Withdraw as Attorney (#83). Also before the Court is the Ninth Circuit Court of Appeal's Order (#85) authorizing the Court to provide Appellant notice and opportunity to request that the time for filing the notice of appeal be extended for a period not to exceed 30 days from the expiration of the time prescribed by Rule 4(b), upon a finding of excusable neglect or good cause.

Having read and considered Counsel's motion to withdraw and good cause being found it is **GRANTED**. Appellant/Defendant, Philbert Cole, is hereby ordered to show cause, within thirty (30) days of the entry of this order, why he failed to file his notice of appeal (#81) timely and to seek an extension of time to do so based upon a showing of good cause or excusable neglect.

Accordingly, IT IS HEREBY ORDERED that Defendant's Counsel's Motion to Withdraw as Attorney (#83) is **GRANTED**;

IT IS FURTHER ORDERED that Philbert Cole show cause within thirty (30) days of the entry of this order;

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2 IT IS FURTHER ORDERED that the Clerk of the Court serve this order on Defendant at:
3 Reg. No. 49616-048, FCI Schuylkill, Federal Correctional Institution, P.O. Box 759, Minersville,
4 PA 17954.

5 DATED this 11th day of March 2021.

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8 The Honorable Kent J. Dawson
9 United States District Judge
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